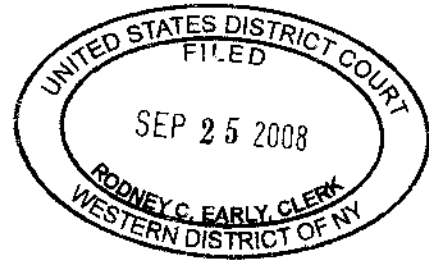


**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**



MIKE WILSON,

Plaintiff(s),

v.

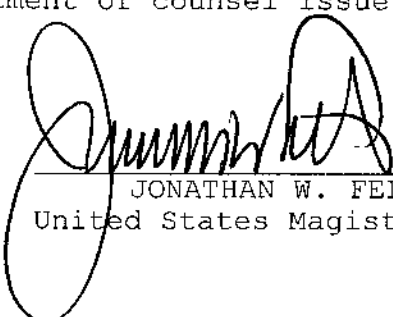
PAUL A. HENDEL, et al.,

Defendant(s).

DECISION AND ORDER
00-CV-6458

Currently pending before the Court is plaintiff's motion for appointment of counsel. (Docket # 71). After review of the moving papers and consideration as to the current status of the litigation, plaintiff's application is **denied without prejudice to renew**. In making this determination, this Court sees no reason at this point in time to disagree with Judge Siragusa's Decision and Order which denied plaintiff's earlier application for the appointment of counsel. (Docket # 66). The Court notes that all discovery deadlines have expired and this case is ready for trial. However, Judge Siragusa has stayed any further action in this case pursuant to 50 U.S.C. App. § 522. See Docket # 75. Once the stay is lifted, Judge Siragusa will be in a position to schedule this matter for trial. Should Judge Siragusa determine that the appointment of trial counsel is warranted, he may, of course, revisit the appointment of counsel issue at that time.

SO ORDERED.


JONATHAN W. FELDMAN
United States Magistrate Judge

Dated: September 25, 2008
Rochester, New York